



PERSONNEL
POLICY MANUAL FOR
NONAPPROPRIATED FUND
INSTRUMENTALITIES

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
(FORCE MANAGEMENT AND PERSONNEL)

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THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

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FORCE MANAGEMENT
AND PERSONNELFOREWORD

This Manual is reissued under the authority of DoD Instruction 1401.1, "Personnel Policy for Nonappropriated Fund Instrumentalities (**NAFIs**) , " November 15, 1985. It supersedes and cancels DoD 1401.1-M, "Personnel Policy Manual for Nonappropriated Fund Instrumentalities, " February 1987, and all changes through December 15, 1987. This **reissuance** incorporates administrative changes as well as authorized and coordinated policy changes.

This Manual applies to DoD civilian and off-duty military employees of Nonappropriated Fund Instrumentalities (**NAFIs**) worldwide, whose compensation is derived from nonappropriated funds, except for the following exclusions:

1. **Employees** of private organizations which have been authorized by appropriate military authority.
2. Civil Service and U.S. military personnel assigned to morale, **wel-**fare, or recreation activities.
3. Independent contractors (such as professional entertainers and sports officials), where no employer and employee relationship exists.
4. Individuals employed by private contractors and concessionaires who do business with **NAFIs**.
5. Local nationals or third country nationals employed in Guam, other U.S. areas, or in foreign areas who may be subject to the provisions of treaties or country-to-country agreements.

The Manual is effective immediately and is mandatory for use by all DoD Components. Heads of DoD Components may issue supplementary instructions only when necessary to provide for unique requirements within their respective Components.

Recommendations for changes may be submitted to:

Director for NAP Personnel Policies, OASD (FM&P)
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REFERENCES

The REFERENCES **list** may not be complete. Heads of DoD Components shall ensure compliance with all applicable laws, Executive orders, rules, regulations **etc.**, including those not in the REFERENCES section of this Manual.

DoD DIRECTIVES

- 1010.4 "Alcohol and Drug Abuse by DoD Personnel," August 25, 1980
- 1015.3 "Armed Services Military Club and Package Stores," May 14, 1982
- 1015.6 "Funding of Morale, Welfare and Recreation Programs,"
August 3, 1984
- 1015.8 "DoD Civilian Employee Morale, Welfare, and Recreation (**MWR**)
Activities and Supporting Nonappropriated Fund Instrumentalities
(**NAFIs**)," October 22, 1985
- 1342.13 "Eligibility Requirements for Education of Minor Dependents in
Overseas Areas," July 8, 1982
- 1400.5 "DoD Policy for Civilian Personnel," March 21, 1983
- 1400.6 "DoD Civilian Employees in Overseas Areas," February 15, 1980
- 1401.3 "Employment Protection for Certain **Nonappropriated** Fund
Instrumentality Employees/Applicants," July 19, 1985
- 1402.1 "Employment of Retired Members of the Armed Forces,"
January 21, 1982
- 1426.1 "Labor-Management Relations in the Department **of** Defense,"
June 29 1981
- 1440.1 "The DoD Civilian Equal Employment Opportunity (**EEO**) Program,"
May 21, 1987
- 5100.23 "Administrative Arrangements for the National Security Agency,"
May **17, 1967**
- 5120.39 "Department of Defense Wage Fixing Authority Appropriated Fund
Compensation ," April 24, 1980
- 5120.42 "Department of Defense Wage Fixing Authority - Nonappropriated Fund
Compensation Programs," May 19, 1977
- 5500.7 "Standards of Conduct," May 6, 1987
- 7050.1 "Defense Hotline Program," May 20, 1987

DoD INSTRUCTIONS

- 1000.15** "Private Organizations on DoD Installations," September 22, 1978
- 1015.2** "Operations Policies for Morale, Welfare and Recreation (**MWR**) Activities," May 17, 1985
- 1330.20** "Reporting of Morale, Welfare and Recreational (**MWR**) Activities Personnel Information," September 4, 1980
- 1401.1** "Personnel Policy for Nonappropriated Fund Instrumentalities (**NAFIs**)," November 15, 1985
- 1400.10** "Employment of Foreign Nationals in Foreign Areas," December 5, 1980
- 1400.23** "Employment of **Family** Members of U.S. Armed Forces Personnel and Civilian Employees Stationed in Foreign Areas," November 13, 1987
- 5010.39** "Work Force Motivation," November 16, 1984
- 5120.16** "Department of Defense Incentive Awards Program: Policies and Standards," July 15, 1974
- 7000.12** "Financial Management of Morale, Welfare, and Recreational Activities," September 4, 1980
- 7600.6** "Audit of Nonappropriated Fund Instrumentalities and Related Activities," April 16, 1987

DoD PUBLICATIONS

- 1015.8-R** "DoD Civilian Employee Morale, Welfare, and Recreation (**MWR**) Activities and Supporting Nonappropriated Fund Instrumentalities (**NAFIs**) Regulation," November 1985
- 1400.25-M "Civilian Personnel Manual," July 1978
- 1401.1-M-1** "Job-Grading System Manual for Nonappropriated Fund Instrumentalities," October 1981
- 5200.2-R "DoD Personnel Security Program," January 1987
- 5000.12-M** "DoD Manual for Standard Data Elements," October 1987

EXECUTIVE ORDERS

- 11137** "Relating to Certain Allowances and Benefits for Civilian Employees of Nonappropriated Fund Instrumentalities of the Armed Forces," January 7, 1964
- 11222** "Prescribing Standards of Ethical Conduct for Government Officers and Employees," May 8, 1965

- 11478** "Equal Employment Opportunity in the Federal Government, "
August 8, 1969
- 11491** "Labor-Management Relations in the Federal Services,"
October 29, 1969 11582
"Observances of Holidays by Government Agencies," February 11, 1971
- 12568** "Employment Opportunities for Military Spouses at Nonappropriated
Fund Activities," October 2, 1986

UNITED STATES CODE

Title 5, United States Code - Government Organization and Employees Section,
as amended:

- 2105** (status of nonappropriated fund employees)
- 2108** (veterans preference eligibility)
- 3110** (restrictions in the employment **of** relatives)
- 5332** (general schedule pay rates)
- 5342** (definitions)
- 5361 - 5366.** (grade and pay 'retention instructions **applicable** to
federal wage system employees)
- 5532-5533** (dual pay and dual employment)
- 5542** (overtime rates - compensation)
- 5544** (wage-board overtime and **Sunday** rates computation)
- 5911** (entitlement of quarters and facilities by civilian **employees**
in the United States)
- 7101-7103** (Labor management relations)
- 7324** (influencing elections; taking part in political campaigns;
prohibitions with exceptions)
- 7901** (health services programs for civilian employees)
- 7902** (legal status of civilian **NAF** **employees** with **regard**
to safety programs)
- 8171** (extends the provisions of the Longshoremen's and Harbor
Workers' Compensation Act to nonappropriated fund employees)

Title 10, United States Code - Armed Forces

- 1587** (employees of nonappropriated fund
instrumentalities)

Chapter 81 (protection for NAFI Employees and applicants disclosing information)

Title 31, United States Code - Money and Finance

1349 (requires **at** least one month suspension for certain motor vehicle and aircraft use violations)

Title 38, United States Code - Veterans Benefits

101 (definitions)
301 (definitions)

Title **42**, United States Code - The Public Health and Welfare

300e-9, Health Maintenance Organizations
410, Social Security (nonappropriated fund employees)

CODE OF FEDERAL REGULATIONS

Title 5, Administrative Personnel

Part 536, Grade and Pay Retention

Part 551, Pay Administration **Under** the Fair Labor Standards Act

Title 20, Code of Federal Regulations, Employee's Benefits

Part 609, Unemployment Compensation for Federal Civilian Employees

PUBLIC LAWS

88-448, "Dual Compensation Act of 1964," August **19**, 1964

90-40, "Military Selective Service Act of 1967," as amended (the draft and the rights of the military man), June 30, 1967

92-261, "Equal Employment Opportunity Act of 1972," March 24, 1972

92-392, August 19, 1972, amends subchapter **IV** of chapter 53 of Title 5, United States Code (fixing and adjusting of rates of pay for prevailing-rate employees)

92-576, "Longshoremen's and Harbor Workers' Compensation Act," October 27, **1972** (rates of compensation for a nonappropriated fund instrumentality employee) (**5 U.S.C. 8171**)

93-259, "Fair Labor Standards Amendments of 1974," April 8, 1974 (**amending** the Fair Labor Standards Act of 1938, as amended, to cover **nonsupervisory** Federal employees under its provisions for minimum wage and overtime and nondiscrimination because of age)

93-579, "The Privacy Act of 1974," December 31, 1974, amends Title 5, United States Code by adding Section 552a

95-256, "Age Discrimination in Employment Act Amendments of 1978"

95-595, November 4, 1978, amends the Budget and Accounting Procedures Act of 1950 to require that pension plans provide for annual financial audits with respect to pension plans for employees of the Federal Government, its agencies, and instrumentalities

96-70, "Panama Canal Act of 1979," provides for the operation and maintenance of the Panama Canal under the Panama Canal Treaty of 1977

97-35, "OMNIBUS Budget Reconciliation Act of 1981," August 13, 1981. Title IX, Section 946(b) included **NAFIs** within the definition of "employer" for purposes of the Health Maintenance Organization Act

98-94, "Department of Defense Authorization Act, 1984," Section 1253, "Employment Protection for Certain Nonappropriated Fund Instrumentality Employees," amends Chapter 81 of **Title** 10, United States Code, by adding Section 1587

98-397, "The Retirement Equity Act of 1984," improves the delivery of retirement benefits and provides greater equity under pension plans for workers and their spouses and dependents by taking into account changes in work patterns, the status of marriage as an economic partnership, and the substantial contribution to that partnership of spouses who work both in and outside of the home, and for other purposes

99-196, December 23, 1985, governs the implementation of flexible and compressed work schedules.

99-603, "Immigration Reform and Control Act of 1986," makes it unlawful to hire, recruit, or refer for a fee for employment, unauthorized aliens in the United States. This law necessitated a rule promulgated by the Immigration and Naturalization Service, U.S. Department of Justice. The rule provides for an employment eligibility verification system designed to prevent the employment of unauthorized aliens.

REGULATIONS

Joint Travel Regulations, Volume 2 (payment for official **travel** and transportation of U.S. Government employees)

Department of State Standardized Regulations (Government Civilians - Foreign Areas), April 2, 1961, as amended:

Section **030** (eligibility for allowances and differentials)

Section 270 (education allowances for dependents of civilian personnel employed overseas)

OPM FEDERAL PERSONNEL MANUAL

Chapter 310, Employment of Relatives

Chapter 591, Allowances and Differentials Payable in Nonforeign Areas

Chapter 713, **Equal** Employment Opportunity

Chapter 731, Suitability

Chapter 850, Unemployment Benefits

FPM Supplement 296-33, The Guide to Processing Personnel Actions, Subchapter 7,
Adjudication of Veterans Preference Claims

FPM Supplement 512-1 Craft and Trades Job-Grading Standards

FPM Supplement 532-2 Federal Wage System - Nonappropriated Fund Employees

FPM Supplement 990-2 Hours of Duty, Pay and Leave

FPM 551 Letters and Bulletins, Fair Labor Standards Act

FPM Letter 792-15, Federal Employees' Health and Counseling Programs

OFFICE OF MANAGEMENT AND BUDGET (OMB) CIRCULARS

A-76 "Performance of Commercial Activities," (current edition)